IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No: 9719 of 2002

Between:

Chunnu Begum, W/o Late Shefiq,
R/o 10-5-391/3, Syed Nagar,
Hyderabad.

..... PETITIONER

AND

1 Central Power Distribution Company of A.P. Ltd., Rep. by its Chief Executive Officer, Hyderabad.
2 The Asst. Divisional Engineer, Electricity Distribution XVII, city VII, A.P.Transco, Maseb Tank, Hyderabad.
3 The Asst. Accounts Officer,
ERO-IX, A.C. Guards, Hyderabad.
4 The Divisional Engineer, Operation,
Assifnagar, Hyderabad.
5 The Superintendent Engineer, Operation,
Central Circle, Hyderabad.
6 The Divisional Engineer,
DPE, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of Mandamus directing the respondents herein to restore the electricity connection by receiving Rs.3018-15 as contemplated in the Initial Assessment Notice (Pilferage) vide letter No.ADE/OP/D-

XXVII/F.No.196/D.No.392/2002, dt.5-3-2002 by duly declaring the action of the respondents in not disposing of the representation dt.26.04.2002 filed by the petitioner as illegal, arbitrary, unconstitutional and against the principles of natural justice.

Counsel for the Petitioner: SMT.G.SYAMALA

Counsel for the Respondents: (SC FOR AP TRANSCO) V.AJAY KUMAR

The Court made the following:

ORAL ORDER:-

This Writ Petition is filed seeking a direction to the respondents herein to restore the power supply by receiving an amount of Rs.3,018=15 as contemplated in the Initial Assessment Notice (Pilferage) vide letter No.ADE/OP/D-XXVII/F.No.196/D.No.392/2002, dated 05.03.2002 by duly declaring the action of the respondents in not disposing of the representation dated 26.04.2002 filed by the

petitioner, as illegal.

This Court at the stage of admission, by order, dated 22.05.2002, directed the respondents to restore the power supply on such payment. Even as per the Provisional Assessment Notice issued by the respondents, the petitioner is entitled to restoration of power supply on payment of such amount. In that view of the matter, the interim order, dated 22.05.2002, issued by this court shall be treated, as final order in the writ petition and the payment, which is made, shall be subject to final orders in the Final Assessment Proceedings.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

_____

05.07.2005

ES

To

1 The Chief Executive Officer, Central Power Distribution Company of A.P. Ltd., Hyderabad.
2 The Asst. Divisional Engineer, Electricity Distribution XVII, city VII, A.P.Transco, Maseb Tank, Hyderabad.
3 The Asst. Accounts Officer,
ERO-IX, A.C. Guards, Hyderabad.
4 The Divisional Engineer, Operation,
Assifnagar, Hyderabad.
5 The Superintendent Engineer, Operation,
Central Circle, Hyderabad.
6 The Divisional Engineer,
DPE, Hyderabad.

7 2 CD copies